



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Descamps et al.

Serial No. 09/787,714

Filed: March 21, 2001

For: Endofucanases And Method Using Same For
Preparing Fuco-oligosaccharides From Fucanes,
Bacterium Producing Endofucanases And Uses
Of Fuco-oligosaccharides For Plant Protection

Examiner: Rao, M.N.

Art Unit: 1652

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

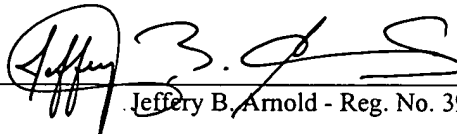
Sir:

In response to the outstanding Election/Restriction Requirement mailed December 12, 2002, the period for response which expires on January 13, 2003, Applicants respectfully request examination in view of the following remarks.

Applicants hereby elect the Group III claims, Claims 7 and 10. According to the outstanding Election/Restriction Requirement, the Group III claims are drawn to a method of treating plants using the claimed fuco-oligosaccharides. Importantly, however, the invention as claimed in the Groups I, II, and III claims, respectively, have not been classified by either class or subclass.

Respectfully, Applicants assert that the invention as claimed in the respective Groups will be classified in the same class. Accordingly, the field of search for the claimed invention of the respective Groups will be conducted in the same class. Further, it is likely

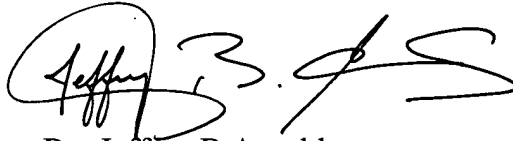
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on January 10, 2003.


Jeffery B. Arnold - Reg. No. 39,540

that such searches will be conducted in the same subclass as well. Pursuant to M.P.E.P. § 808.02(C), where “the classification is the same and the field of search is the same and there is no clear indication of separate future classification and the field of search, no reasons exist for dividing among related inventions.” (Emphasis added.) Applicants respectfully assert that the Groups I, II, and III claims are so closely related that the search for each claim will overlap. Therefore, Applicants respectfully request that the Examiner withdraw the restriction requirement between the Groups I, II, and III claims.

The foregoing is submitted as a full and complete response to the outstanding Election/Restriction requirement. Early and favorable consideration of the claims is requested. If the Examiner believes any informalities remain in the application which may be corrected by Examiner’s amendment, or there are any other issues which can be resolved by telephone interview, a telephone conference to the undersigned attorney at (404) 745-2461 is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffery B. Arnold", with a stylized flourish at the end.

By: Jeffery B Arnold
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